

EXHIBIT C

FILED UNDER SEAL

Exhibit C, Page 1 of 5

AA235

CONFIDENTIAL

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**UNITED STATES BANKRUPTCY COURT
 EASTERN DISTRICT OF WASHINGTON**

In re:

Case No. 18-03197 FPC 11

GIGA WATT, Inc., a Washington
 corporation,

The Honorable Frederick P. Corbit

Debtor.

Chapter 7

MARK D. WALDRON, as Chapter 7
 Trustee,

Adv. Case No. 20-80031

Plaintiff,

[ALL HYPERLINKS]

vs.

**AMENDED VERIFIED
 COMPLAINT FOR (I) BREACH
 OF FIDUCIARY DUTY TO GIGA
 WATT, INC., (DEFENDANT
 PERKINS COIE LLP AND
 LOWELL NESS) (II) AIDING
 AND ABETTING GIGA WATT
 PTE. LTD.'S BREACH OF
 FIDUCIARY DUTY TO GIGA
 WATT (DEFENDANT PERKINS
 COIE LLP AND LOWELL NESS),
 (III) BREACH OF FIDUCIARY
 DUTY TO GIGA WATT
 (DEFENDANT GIGA WATT PTE.
 LTD.)AND (IV) AIDING AND
 ABETTING BREACH OF
 FIDUCIARY DUTY
 (DEFENDANT ANDREY
 KUZENNY)**

PERKINS COIE LLP, a Washington
 limited liability partnership,
 LOWELL NESS, individual and
 California resident, GIGA WATT
 PTE., LTD., a Singapore corporation,
 and ANDREY KUZENNY, a
 citizen of the Russian Federation,

Defendants,

- and -

THE GIGA WATT PROJECT, a
 partnership,

Nominal Defendant.

[HYPERLINKS] VERIFIED COMPLAINT – Page 1

Exhibit C, Page 2 of 5

AA236

1 Mark D. Waldron, in his capacity as the duly-appointed Chapter 7 Trustee,
2 by and through his attorneys, the Potomac Law Group PLLC, for his Complaint
3 against Perkins Coie LLP ("Perkins Coie") alleges as follows:

4 **JURISDICTION AND VENUE**

5 1. This Court has jurisdiction over this action pursuant to 28 U.S.C.
6 §§ 1334(b) and 157(a). This action is related to the bankruptcy case.

7 2. GW Singapore submitted to the personal jurisdiction of this Court by
8 filing Claim No. 135 in the above-captioned bankruptcy case.

9 3. Kuzenny submitted to the personal jurisdiction of this Court by filing
10 Claim Nos. 133, and 255.

11 4. Venue is proper in this Court pursuant to 28 U.S.C. § 1409(a).

12 **PARTIES**

13 5. Plaintiff is the duly-appointed trustee in the above-captioned
14 bankruptcy case pursuant to the *Appointment of Trustee*, dated September 30,
15 2020. [ECF No. 745.] Plaintiff also served as the Chapter 11 Trustee pursuant to
16 the *Order Approving Appointment of Chapter 11 Trustee*, entered on June 24,
17 2019 [ECF No. 146.] before the case converted to chapter 7 pursuant to the *Order*
18 *Converting Case to Chapter 7*, entered on September 30, 2020. [ECF No. 744.]

19 6. Perkins Coie is a limited liability partnership formed under the laws
20 of Washington State. It maintains offices in Seattle, Palo Alto, and numerous
21 other cities worldwide. Perkins Coie is the 16th largest law firm in the United
22 States. It was named one of the "Top Five Law Firms for Startups" in 2019

23 [HYPERLINKS] VERIFIED COMPLAINT – Page 2
24
25

Exhibit C, Page 3 of 5

1 (Kruze) and won the Technology/Telecom Deal of the Year” by The Deal Awards
2 in 2019.

3 7. Upon information and belief, Lowell Ness resides in or around Palo
4 Alto, California. He is a partner of Perkins Coie in the firm's Corporate practice,
5 regularly acting as either company counsel or investors' counsel in venture capital
6 financings. Perkins Coie's website adds that Ness is:

7 a core member of the Blockchain Technology and Digital
8 Currency industry group where he focuses part of his practice on
9 assisting Blockchain, Bitcoin and other cryptocurrency clients raise
money by maintaining relationships with key venture capital groups
and other potential investors in the industry.

10 Ness earned a B.A. (*cum laude*) from the University of Pennsylvania in 1989. He
11 earned a J.D. (*cum laude*) in 1994 from Georgetown University Law Center. He
12 speaks French and Russian. Ness and Perkins Coie are referred to herein
13 collectively as “Perkins Coie.”

14 8. GW Singapore was incorporated under the laws of Singapore on
15 December 28, 2016. As of March 2017, Sergey Pashentsev, a Russian citizen and,
16 oddly, an auto mechanic in rural Russia, was GW Singapore's director, sole
17 member, and sole shareholder. GW Singapore has failed to respond to
18 correspondence sent to the email listed on its proof of claim filed in this case. Mail
19 sent to the address listed on the proof of claim has been returned as undeliverable
20 with no forwarding address. Perkins Coie is also unable to reach GW Singapore.

21 9. Andrey Kuzenny is a citizen of the Russian Federation. Upon
22 information and belief, he is a shareholder of Giga Watt. In August 2018, he acted

23 [HYPERLINKS] VERIFIED COMPLAINT – Page 3
24
25

Exhibit C, Page 4 of 5

2. Grant such other and further relief as the Court deems necessary and just.

Dated: November 19, 2020

POTOMAC LAW GROUP PLLC

By: /s/ Pamela M. Egan
Pamela M. Egan (WSBA No. 54736)
*Attorneys for Mark D. Waldron, Chapter 7
Trustee, Plaintiff*

[HYPERLINKS] VERIFIED COMPLAINT – Page 31

Exhibit C, Page 5 of 5